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Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
New York, 23-27 May 2016

Report on the status of the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Note by the Secretariat

1. By its resolution 58/14, the General Assembly decided to establish an Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks to assist developing States parties in the implementation of the Agreement. Pursuant to that resolution, the Fund is jointly administered by the Food and Agriculture Organization of the United Nations (FAO), which acts as the implementing office for the Fund, and the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat. The terms of reference for the Assistance Fund provide that, in addition to the submission of an annual report on activities of the Fund, a report on the activities of the Fund, including a financial statement of the contributions to and disbursements from the Fund, shall be presented to the Review Conference provided for under article 36 of the Agreement.

2. Pursuant to that requirement, the Secretariat hereby transmits the FAO report on the activities of the Fund, dated March 2016.

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Report on the status of the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

March 2016

I. Introduction

1. In November 2003, the General Assembly, in its resolution 58/14, established the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 United Nations Fish Stocks Agreement), to assist developing States parties in the implementation of the Agreement. It also decided that the Fund would be administered by the Food and Agriculture Organization of the United Nations (FAO), in collaboration with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat. On 19 April 2005, the Fund was established. It is managed in accordance with its terms of reference and the FAO Financial Regulations, as well as other applicable rules.

II. Contributions to the Assistance Fund

2. The United Nations and FAO have continued to make calls for contributions to the Assistance Fund at international forums, including at sessions of the General Assembly and the FAO Committee on Fisheries, as well as on the web page of the Assistance Fund. A call for contributions was also made at the tenth to twelfth rounds of informal consultations of States parties to the 1995 United Nations Fish Stocks Agreement (New York, 7-8 April 2014, 16-17 March 2015 and 22-23 March 2016). Other fundraising activities include a joint letter dated 11 December 2014 from the Division and FAO addressed to permanent representatives and permanent observer missions to the United Nations in New York, calling for contributions.

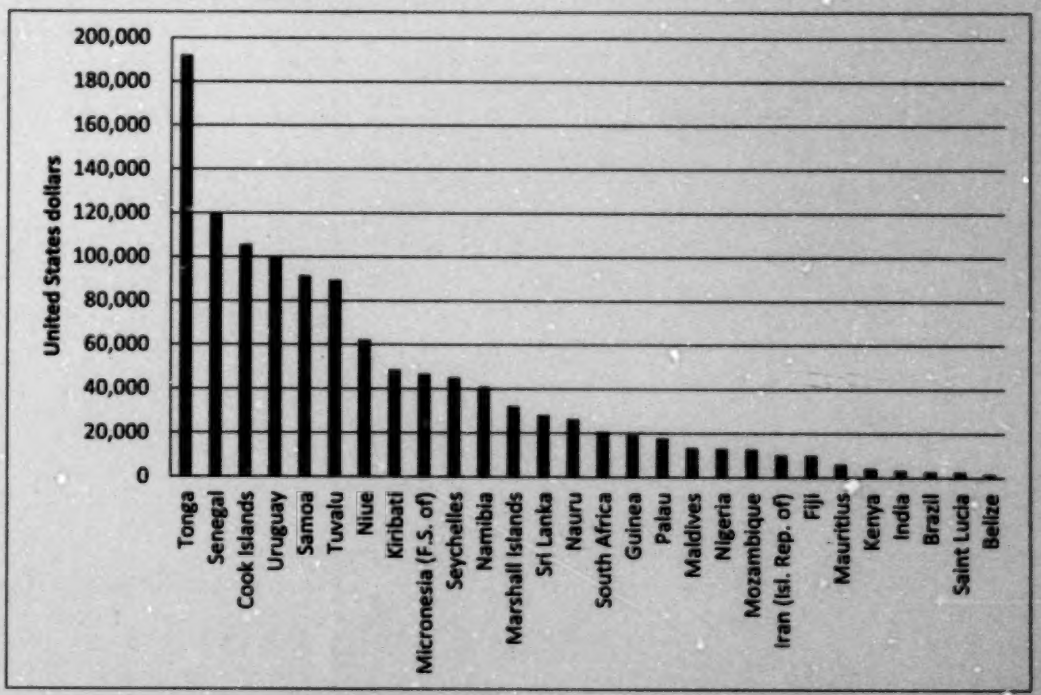
3. As at 31 December 2015, the Governments of Canada, Iceland, Lebanon, New Zealand, Norway and the United States of America, all States parties to the 1995 United Nations Fish Stocks Agreement, had made financial contributions to the Assistance Fund totalling $1,667,455. Annex I shows contributions to the Fund together with accrued interest. As at 31 December 2015, the Fund's total receipts amounted to $1,716,953. Since the Review Conference on the 1995 United Nations Fish Stocks Agreement resumed in 2010, contributions totalling $531,800 and $296,798 have been received from the Governments of Australia and Norway, respectively.

III. Requests for assistance and use of the Fund

4. Information about the existence and purpose of the Assistance Fund has been disseminated widely by the United Nations and FAO, including through electronic means, international meetings and contacts with relevant regional fisheries bodies. Owing to the near depletion of the Fund, States parties were informed in October 2014 that its use had to be temporarily suspended. Applications for assistance were accepted again following the replenishment of the Fund in April 2015 with a contribution of $200,000 from the Government of Norway.

5. As at 31 December 2015, the total expenditure from the Fund was estimated at $1,575,537. Since 2011, the Assistance Fund has been used exclusively for travel-related expenses. Annex II provides details of expenditure from the Assistance Fund as at 31 December 2014.[1] Expenditure is categorized according to the purposes for which assistance is permitted and administrative expenses, as reflected, respectively, in paragraphs 14 and 21 of the Fund's terms of reference. The figure below shows the allocation of travel expenditure by State party for the period from 2006 to 2014;[2] further details of this expenditure by category (under para. 14 of the terms of reference) are provided in annex III.

Travel support by State party (2006-2014)



[1] At the time of writing, the financial report for the year 2015 was still under preparation. Total expenditure for the year 2015 is estimated at $83,012.

[2] Bangladesh benefited for the first time from the Assistance Fund in 2015.

6. The panel of experts, established pursuant to paragraph 15 of the terms of reference to review applications and make recommendations on the amount of financial assistance to be given in each case, has not been convened since the Review Conference resumed in 2010, as only travel-related expenses were supported by the Fund. Details of Fund allocations under FAO letters of agreement[3] since 2009 are provided in annex IV.

IV. Assistance Fund balance

7. As at 31 March 2016, the balance of the Assistance Fund was $107,987.

[3] A letter of agreement is an instrument setting forth the terms of agreement between FAO and a recipient organization for the production of specified outputs, which will contribute to the achievements of specific objectives through the supply of services and/or other work product(s). A recipient organization is a governmental, regional, intergovernmental, parastatal or other non-profit institution that will, whenever possible, be located in the country where the services are to be rendered or the materials used.

Annex I

1995 United Nations Fish Stocks Agreement Part VII Assistance Fund: contributions as at 31 December 2015

(United States dollars)

Donor	*2004*	*2005*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*Total*
United States of America	200 000	–	–	15 000	–	–	–	–	–	–	–	–	215 000
Iceland	–	50 000	–	–	–	–	–	–	–	–	–	–	50 000
Norway	–	98 179	–	–	–	–	96 798	–	–	–	–	200 000	394 977
Canada	–	–	64 230	389 948	–	–	–	–	–	–	–	–	454 178
Lebanon	–	–	–	–	–	2 000	–	–	–	–	–	–	2 000
New Zealand	–	–	–	–	–	19 500	–	–	–	–	–	–	19 500
Australia	–	–	–	–	–	–	–	531 800	–	–	–	–	531 800
Subtotal	**200 000**	**148 179**	**64 230**	**404 948**	**–**	**21 500**	**96 798**	**531 800**	**–**	**–**	**–**	**200 000**	**1 667 455**
Interest	–	6 249	14 725	21 567	4 102	1 485	262	189	457	243	63	156	49 498
Total	**200 000**	**154 428**	**78 955**	**426 515**	**4 102**	**22 985**	**97 060**	**531 989**	**457**	**243**	**63**	**200 156**	**1 716 953**

Annex II

1995 United Nations Fish Stocks Agreement Part VII Assistance Fund: expenditure account as at 31 December 2014[a]

		2006		2007		2008		2009		2010		2011		2012		2013		2014		Total expenditure	
TOR paragraph[b]	*Expenditure category*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*	*Amount (US dollars)*	*Percentage*
14 (a)	Expenses for participation in meetings and activities of relevant RFMO/As	20 421	31	30 657	52	51 596	35	78 370	18	131 297	63	51 939	85	145 408	75	80 342	48	107 413	72	697 443	47
14 (b)	Expenses for participation in high seas meetings of specialized agencies, funds and programmes of the United Nations system and other appropriate international and regional organizations and bodies	45 729	68	3 862	7	59 702	41	74 488	17	30 740	15	5 120	8	40 090	21	62 286	37	29 074	19	351 091	24
14 (c)	Ongoing and future negotiations to establish new RFMO/As, renegotiation of founding agreements for such organizations and strengthening existing RFMO/As	–	–	23 347	10	22 980	16	43 197	10	–	–	–	–	–	–	–	–	–	–	89 524	6

TOR paragraph[b]	Expenditure category	2006		2007		2008		2009		2010		2011		2012		2013		2014		Total expenditure	
		Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage	Amount (US dollars)	Percentage
14 (d)	Building capacity in relation to flag State responsibility, monitoring, control and surveillance, data collection and scientific research at a national and/or regional level	–	–	–	–	8 775	6	47 771	11	–	–	–	–	5 166	3	15 452	9	8 562	6	85 726	6
14 (e)	Facilitating exchange of information and experience on the implementation of the Agreement	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
14 (f)	Supporting human resource development, technical training and technical assistance to support proper conservation and management	–	–	–	–	–	–	182 340	41	37 354	18	–	–	–	–	10 279	6	–	–	229 973	15
14 (g)	Dispute settlement	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	4 098	3	4 098	–

TOR paragraph[b]	Expenditure category	2006 Amount (US dollars)	2006 Percentage	2007 Amount (US dollars)	2007 Percentage	2008 Amount (US dollars)	2008 Percentage	2009 Amount (US dollars)	2009 Percentage	2010 Amount (US dollars)	2010 Percentage	2011 Amount (US dollars)	2011 Percentage	2012 Amount (US dollars)	2012 Percentage	2013 Amount (US dollars)	2013 Percentage	2014 Amount (US dollars)	2014 Percentage	Total expenditure Amount (US dollars)	Total expenditure Percentage
21	Administrative expenses (staff time, insurance and project servicing costs for certain projects)	867	1	1 106	2	2 642	2	14 621	3	8 741	4	4 326	7	2 367	1	–	–	–	–	34 670	2
Total[c]		**67 017**	**100**	**58 972**	**100**	**145 695**	**100**	**440 787**	**100**	**208 132**	**100**	**61 385**	**100**	**193 031**	**100**	**168 359**	**100**	**149 147**	**100**	**1 492 525**	**100**

Abbreviations: RFMO/As, regional fisheries management organizations and arrangements; TOR, terms of reference.

[a] There were no expenditures in 2004 and 2005.

[b] References are made to the relevant paragraphs (paras. 14 and 21) of the terms of reference for the Assistance Fund under Part VII of the 1995 United Nations Fish Stocks Agreement.

[c] Some percentages may not add up to 100 owing to rounding.

Annex III

1995 United Nations Fish Stocks Agreement Part VII Assistance Fund: travel expenditure as at 31 December 2014

Allocation by State party

(United States dollars)

		Paragraph 14[a]						
Year	*Country*	*a*	*b*	*c*	*d*	*f*	*g*	*Total*
2006	Fiji	–	3 967	–	–	–	–	3 967
	Guinea	–	6 394	–	–	–	–	6 394
	Maldives	–	3 063	–	–	–	–	3 063
	Marshall Islands	–	4 855	–	–	–	–	4 855
	Mauritius	–	6 073	–	–	–	–	6 073
	Namibia	5 580	3 520	–	–	–	–	9 100
	Niue	8 203	–	–	–	–	–	8 203
	Saint Lucia	–	2 553	–	–	–	–	2 553
	Samoa	–	6 300	–	–	–	–	6 300
	Senegal	–	3 195	–	–	–	–	3 195
	South Africa	2 868	–	–	–	–	–	2 868
	Uruguay	3 769	5 810	–	–	–	–	9 579
Subtotal, 2006		**20 421**	**45 729**	–	–	–	–	**66 150**
2007	Belize	1 754	–	–	–	–	–	1 754
	Cook Islands	–	–	4 665	–	–	–	4 665
	Guinea	3 849	–	–	–	–	–	3 849
	Marshall Islands	2 963	–	–	–	–	–	2 963
	Micronesia (Federated States of)	–	–	12 058	–	–	–	12 058
	Niue	6 945	–	6 623	–	–	–	13 568
	Samoa	–	(200)	–	–	–	–	-200
	Senegal	5 609	4 062	–	–	–	–	9 671
	South Africa	4 606	–	–	–	–	–	4 606
	Uruguay	4 932	–	–	–	–	–	4 932
Subtotal, 2007		**30 657**	**3 862**	**23 347**	–	–	–	**57 866**
2008	Cook Islands	3 027	3 027	8 735	–	–	–	14 790
	Kiribati	5 966	–	–	–	–	–	5 966
	Maldives	–	4 300	–	–	–	–	4 300
	Marshall Islands	7 732	10 166	–	–	–	–	17 898

Year	Country	Paragraph 14[a]						Total
		a	*b*	*c*	*d*	*f*	*g*	
	Micronesia (Federated States of)	4 429	–	9 269	–	–	–	13 698
	Nauru	4 182	4 182	–	–	–	–	8 363
	Niue	–	–	4 976	–	–	–	4 976
	Palau	2 311	–	–	–	–	–	2 311
	Samoa	2 675	7 051	–	–	–	–	9 726
	Senegal	12 354	4 856	–	–	–	–	17 211
	Seychelles	–	7 504	–	4 756	–	–	12 260
	Tonga	2 906	11 130	–	–	–	–	14 036
	Uruguay	6 013	7 486	–	4 019	–	–	17 518
Subtotal, 2008		**51 596**	**59 702**	**22 980**	**8 775**	**–**	**–**	**143 053**
2009	Cook Islands	–	5 288	–	–	–	–	5 288
	Guinea	–	4 544	–	–	–	–	4 544
	Kiribati	–	14 885	5 726	–	–	–	20 612
	Marshall Islands	6 449	–	–	–	–	–	6 449
	Micronesia (Federated States of)	44	–	–	–	–	–	44
	Mozambique	–	4 218	–	–	–	–	4 218
	Namibia	–	3 242	–	–	–	–	3 242
	Niue	3 804		–	–	–	–	3 804
	Samoa	3 968	5 375	–	–	–	–	9 343
	Senegal	13 334	19 603	–	–	–	–	32 937
	Seychelles	3 583	11 879	–	–	–	–	15 462
	Tonga	12 523	5 454	5 397	–	–	–	23 374
	Tuvalu	16 451	–	–	–	–	–	16 451
	Uruguay	18 213	–	–	–	–	–	18 213
Subtotal, 2009		**78 370**	**74 488**	**11 123**	**–**	**–**	**–**	**163 981**
2010	Cook Islands	11 832	–	–	–	–	–	11 832
	Fiji	–	4 542	–	–	1 394	–	5 936
	India	–	3 160	–	–	–	–	3 160
	Kiribati	4 419	–	–	–	3 300	–	7 719
	Mozambique	–	4 999	–	–	–	–	4 999
	Namibia	7 844	–	–	–	–	–	7 844
	Nauru	–	–	–	–	3 759	–	3 759
	Nigeria	13 189	–	–	–	–	–	13 189
	Niue	17 562	–	–	–	–	–	17 562

Year	Country	Paragraph 14[a]						Total
		a	*b*	*c*	*d*	*f*	*g*	
	Palau	3 595	–	–	–	–	–	3 595
	Samoa	8 293	9 140	–	–	–	–	17 432
	Senegal	17 026	4 065	–	–	–	–	21 091
	Seychelles	4 738	4 835	–	–	–	–	9 573
	South Africa	3 436	–	–	–	–	–	3 436
	Tonga	18 935	–	–	–	–	–	18 935
	Tuvalu	13 694	–	–	–	–	–	13 694
	Uruguay	6 734	–	–	–	–	–	6 734
Subtotal, 2010		**131 297**	**30 740**	**–**	**–**	**8 453**	**–**	**170 490**
2011	Cook Islands	6 849	–	–	–	–	–	6 849
	Micronesia (Federated States of)	1 497	–	–	–	–	–	1 497
	Namibia	4 443	–	–	–	–	–	4 443
	Samoa	6 498	–	–	–	–	–	6 498
	Senegal	8 888	–	–	–	–	–	8 888
	South Africa	1 322	–	–	–	–	–	1 322
	Tonga	6 469	5 120	–	–	–	–	11 589
	Tuvalu	8 015	–	–	–	–	–	8 015
	Uruguay	7 958	–	–	–	–	–	7 958
Subtotal, 2011		**51 939**	**5 120**	**–**	**–**	**–**	**–**	**57 059**
2012	Cook Islands	20 049	8 420	–	–	–	–	28 469
	Guinea	312	–	–	–	–	–	312
	Kiribati	–	7 679	–	–	–	–	7 679
	Micronesia (Federated States of)	5 707	–	–	–	–	–	5 707
	Namibia	13 685	–	–	–	–	–	13 685
	Nauru		8 639	–	–	–	–	8 639
	Niue	8 088	–	–	–	–	–	8 088
	Palau	5 055	6 695	–	–	–	–	11 750
	Samoa	10 954	–	–	–	–	–	10 954
	Senegal	11 305	–	–	–	–	–	11 305
	Seychelles	7 880	–	–	–	–	–	7 880
	South Africa	8 147	–	–	–	–	–	8 147
	Sri Lanka	8 749	–	–	–	–	–	8 749
	Tonga	25 977	8 657	–	5 166	–	–	39 800

		Paragraph 14[a]						
Year	*Country*	*a*	*b*	*c*	*d*	*f*	*g*	*Total*
	Tuvalu	10 048	–	–	–	–	–	10 048
	Uruguay	9 452	–	–	–	–	–	9 452
Subtotal, 2012		**145 408**	**40 090**	**–**	**5 166**	**–**	**–**	**190 664**
2013	Cook Islands	15 560	4 310	–	–	–	–	19 870
	Iran (Islamic Republic of)	–	–	–	–	10 279	–	10 279
	Kiribati	–	6 590	–	–	–	–	6 590
	Maldives	5 969	–	–	–	–	–	5 969
	Micronesia (Federated States of)	7 015	6 837	–	–	–	–	13 852
	Namibia	1 606	–	–	–	–	–	1 606
	Nauru	–	5 709	–	–	–	–	5 709
	Niue	–	6 062	–	–	–	–	6 062
	Samoa	12 726	–	–	–	–	–	12 726
	Senegal	6 268	1 755	–	–	–	–	8 023
	South Africa	349	–	–	–	–	–	349
	Sri Lanka	11 040	–	–	–	–	–	11 040
	Tonga	19 808	7 803	–	15 452	–	–	43 063
	Tuvalu	–	8 172	–	–	–	–	8 172
	Uruguay	–	15 049	–	–	–	–	15 049
Subtotal, 2013		**80 342**	**62 286**	**–**	**15 452**	**10 279**	**–**	**168 359**
2014	Brazil	–	2 747	–	–	–	–	2 747
	Cook Islands	13 817	–	–	–	–	–	13 817
	Guinea	–	–	–	–	–	4 098	4 098
	Kenya	4 104	–	–	–	–	–	4 104
	Mozambique	–	3 728	–	–	–	–	3 728
	Namibia	1 007	–	–	–	–	–	1 007
	Samoa	18 570	–	–	–	–	–	18 570
	Senegal	8 043	–	–	–	–	–	8 043
	Sri Lanka	8 328	–	–	–	–	–	8 328
	Tonga	28 519	4 115	–	8 562	–	–	41 195
	Tuvalu	25 024	8 073	–	–	–	–	33 098
	Uruguay	–	10 411	–	–	–	–	10 411
Subtotal, 2014		**107 413**	**29 074**	**–**	**8 562**	**–**	**4 098**	**149 147**
Total		**697 443**	**351 091**	**57 450**	**37 955**	**18 732**	**4 098**	**1 166 769**

[a] The classification of expenditures under paragraph 14 of the terms of reference is explained in annex II.

Annex IV

1995 United Nations Fish Stocks Agreement Part VII Assistance Fund: letters of agreement and actual expenditures

(United States dollars)

Letter of agreement	*TOR paragraph*	*Expenditure*							
		2009[a]	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*Total*
FFA — 228536 — preparation of regional plan of action for the conservation and management of sharks in the Pacific Islands	14 (d)	47 771	–	–	–	–	–	–	47 771
FFA — 240142 — workshop on proposed SPRFMO: awareness of roles and responsibilities — capacity and participation of FFA members	14 (c)	32 074	–	–	–	–	–	–	32 074
SPC — 229962 — training workshop: third tuna data management workshop	14 (f)	24 205	–	–	–	–	–	–	24 205
SPC — 232710 — training workshop: tuna stock and ecological risk assessment	14 (f)	49 936	–	–	–	–	–	–	49 936
SPC — 246282 — tuna stock data workshops (April 2010): data-reporting obligations to WCPFC — regional stock assessments	14 (f)	40 678	–	–	–	–	–	–	40 678
SPC — 246338 — tuna stock assessment, ecosystem and by-catch workshops (June 2010): interpretation and use of information	14 (f)	67 521	-25 163	–	–	–	–	–	42 358
FFA — 254292 — (September 2010): workshop on port State measures	14 (f)	–	54 064	–	–	–	–	–	54 064
Total		**262 185**	**28 901**	**–**	**–**	**–**	**–**	**–**	**291 086**

Abbreviations: FFA, Pacific Islands Forum Fisheries Agency; SPC, Secretariat of the Pacific Community; SPRFMO, South Pacific Regional Fisheries Management Organization; TOR, terms of reference; WCPFC, Western and Central Pacific Fisheries Commission.

[a] Some funds approved for expenditure in 2009 were actually expended in 2010.